

LAURA RUETTGERS (SBN 206636)  
McCURDY & FULLER, LLP  
1080 Marsh Road, Suite 110  
Menlo Park, CA 94025  
Tel: (650) 618-3525  
Fax: (650) 618-3599  
[laura.ruettgers@mccurdylawyers.com](mailto:laura.ruettgers@mccurdylawyers.com)

TIMOTHY R. DINGILIAN (Admitted *Pro Hac Vice*)  
KRISTEN C. VINE (SBN 185204; Admitted to the Northern District *Pro Hac Vice*)  
Jackson & Campbell, P.C.  
1120 20th Street NW South Tower  
Washington, DC 20036-3437  
Tel: (202) 457-1600  
Fax: (202) 457-1678  
[TDingilian@JacksCamp.com](mailto:TDingilian@JacksCamp.com)  
[KVine@JacksCamp.com](mailto:KVine@JacksCamp.com)

Attorneys for Defendants,  
THE INSURANCE COMPANY OF THE STATE  
OF PENNSYLVANIA, AIG DOMESTIC  
CLAIMS, INC. AND GRANITE STATE  
INSURANCE COMPANY

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

OSCAR E. ERICKSON, INCORPORATED, a  
California corporation,

Case No. 3:07-CV-01859-JCS VRW

Plaintiff,

VS.

NORTHWESTERN NATIONAL INSURANCE COMPANY OF MILWAUKEE, WISCONSIN, a Wisconsin corporation; PACIFIC EMPLOYERS INSURANCE COMPANY, a Pennsylvania corporation; ACE AMERICAN INSURANCE COMPANY, a Pennsylvania corporation; THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA, a Pennsylvania corporation; AIG DOMESTIC CLAIMS, INC., a Delaware corporation; UNITED STATES FIDELITY AND GUARANTY COMPANY, a Maryland corporation; THE TRAVELERS INSURANCE COMPANY, a Connecticut corporation; GRANITE STATE INSURANCE COMPANY, a Pennsylvania corporation; and DOES 1-50, inclusive,

**REQUEST FOR DISMISSAL WITHOUT  
PREJUDICE FROM CROSS-CLAIM OF  
ACE AMERICAN INSURANCE  
COMPANY / [PROPOSED] ORDER  
THEREON**

## Defendants.

1           Cross-Claimants The Insurance Company of the State of Pennsylvania and Granite State  
2 Insurance Company are informed and believe that Cross-Defendant Ace American Insurance  
3 Company is not a proper party to this lawsuit. Cross-Claimants therefore respectfully request that  
4 the Court dismiss Cross-Defendant Ace American Insurance Company, only, and without  
5 prejudice, from The Insurance Company of the State of Pennsylvania and Granite State Insurance  
6 Company's Cross-Claim, with each party to bear its own costs and fees.

7

8           DATED: May 16, 2007

MCCURDY & FULLER LLP

9

10           By:        /s/ Laura J. Ruettgers  
11                   MARY P. MCCURDY  
12                   LAURA J. RUETTGERS  
13                   Attorneys for Defendants  
14                   THE INSURANCE COMPANY OF THE  
15                   STATE OF PENNSYLVANIA,  
16                   AIG DOMESTIC CLAIMS, INC. AND  
17                   GRANITE STATE INSURANCE  
18                   COMPANY

19

Co-Counsel:

20

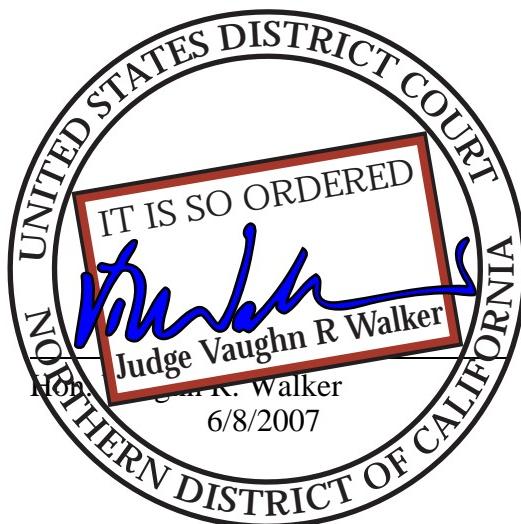
21           Timothy R. Dingilian (Admitted *Pro Hac Vice*)  
22           Kristen C. Vine (SBN 185204; Admitted to the Northern District *Pro Hac Vice*)  
23           JACKSON & CAMPBELL, P.C.  
24           1120 20<sup>th</sup> Street, N.W., South Tower  
25           Washington, DC 20036  
26           Telephone: (202) 457-1600  
27           Facsimile: (202) 457-1678

28

**IT IS SO ORDERED.**

29

Dated: May       , 2007



30

31

32